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October 21, 2020

Honorable P. Kevin Castel  
United States District Court Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

RE: **United States v. William T. Walters**  
Case Number: 16-CR-338-PKC-2  
Related Case: 2:16-mj-338-GWF (District of Nevada)

Dear Judge Castel:

As you may recall, I represented William T. Walters with regards to the above-referenced case. I was admitted *Pro Hac Vice* in this matter on May 27, 2016. *See* ECF 16. There are no pending court dates before the Court. This Court entered a judgment of conviction on July 27, 2017, sentencing Mr. Walters to 60 months in custody. ECF 201.

We write to you regarding Mr. Walters' cash bond currently with the Clerk of the Court for the Southern District of New York. Originally, this case hailed from the District of Nevada (case number: 2:16-mj-338-GWF). On May 19, 2016, \$100,000 cash bond was posted on behalf of Mr. Walters pursuant to the District of Nevada's Court Order. *See* Exhibit A. Mr. Walters was then ordered to appear in the Southern District of New York pursuant to Rule 5 of the Federal Criminal Code and Rules. Mr. Walters timely appeared. The Federal District Court in Nevada ordered its Clerk of the Court to send the \$100,000 cash bond to the Southern U.S. District Court of New York.

We have confirmed that the cash bond was in fact transferred to the Clerk of the Court for the Southern District of New York where it now remains. Through our correspondence with the Clerk of the Court, it advised that an Affidavit must be completed and the original mailed to said Clerk. As of Tuesday, October 20, 2020, we have completed the Affidavit and included a copy of

the certificate of cash deposit and receipt sent by Federal Express mail. For the Court's convenience, a copy of these documents is included herein. *See* Exhibit B. The undersigned will be re-sending the Affidavit forthwith to the Clerk of the Court to include the originally executed Affidavit with wet signatures as a copy was originally sent.

This \$100,000 is separate and apart from the personal recognizance bond and funds posted pursuant to this Court's Order entered on June 1, 2016. ECF 19.

We have also been in communication with Assistant United States Attorney and Chief of the Securities and Commodities Fraud Task Force, Damian Williams, regarding this matter. We have discussed our request to file a proposed order for the Court's consideration to exonerate Mr. Walters' bond. The government agrees with this request and with the proposed order we now submit for the Court's consideration. *See* Exhibit C.

We appreciate the Court's review of this request. Please contact me should you have any questions or need any additional information.

Respectfully submitted:

WRIGHT MARSH & LEVY

By:   
Richard A. Wright Esq.  
Admitted *Pro Hac Vice*

CC: Assistant United States Attorney and Chief of the Securities and Commodities Fraud Task Force, Damian Williams via e-mail: [Damian.Williams@usdoj.gov](mailto:Damian.Williams@usdoj.gov)

## EXHIBIT A

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JUN 15 2016	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

-o0o-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM T. WALTERS,

Defendant.

Case No. 2:16-mj-338-GWF

**ORDER**

On May 19, 2016, a \$100,000.00 cash bond was posted on behalf of defendant WILLIAM T. WALTERS. Defendant WILLIAM T. WALTERS was ordered to appear in the Southern District of New York pursuant to Rule 5 of the Federal Criminal Code and Rules.

**IT IS SO ORDERED** that the Clerk of Court shall forthwith send the \$100,000.00 cash bond to the following:

Southern U.S. District Court of New York (Attn: Clerk's Office)  
500 Pearl Street  
New York, NY 10007-1312

**Re: Case # S1 16-cr-338-(PKC)**

DATED this 15<sup>th</sup> day of June 2016.

  
GEORGE FOLEY, JR.  
United States Magistrate Judge

## EXHIBIT B

UNITED STATES OF AMERICA Plaintiff

AFFIDAVIT

-vs-

CASE# 51 16 Cr. 338(PKC)

William T. Walters Defendant

STATE OF NEW YORK:  
COUNTY OF NEW YORK: SS

I, Susan B. Walters, being duly sworn and depose and say:

That I presently reside at: 9 Corral de Tierra Place, Henderson, NV 89052  
and can be reached at (HOME# OR CELL#), 702-604-2146.

That on the 19th day of May, 2016 deposited with the  
Clerk of the United States District Court for the Southern District of New York,  
500 Pearl Street, New York, New York, the sum of \$ 100,000.00 as cash bail.

~~That your deponent's receipt which was given to him/her was lost, and deponent has made due and diligent effort to find the same without success.~~

Your deponent states that he/she has not assigned any moneys to any other person.  
WHEREFORE, deponent respectfully prays that this Affidavit be accepted in lieu of the original receipt. The receipt from the District of Nevada where the deposit was made is attached hereto.

SWORN TO BEFORE ME THIS

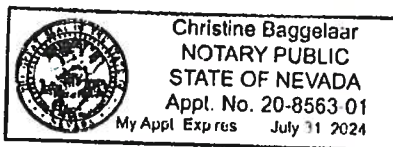
09 DAY OF October 2020

Susan B. Walters

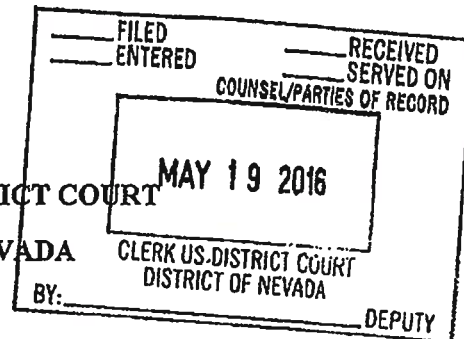
PARTICIPANT'S NAME (PRINT)

Christine Baggelaar  
NOTARY PUBLIC

Susan B. Walters  
PARTICIPANT'S SIGNATURE



UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA



USA  
v.  
William T. Walters

2:16-mj-338-GWF

CERTIFICATE OF CASH DEPOSIT

1. I, Susan B. Walters, herewith tender to the Clerk  
(Name of Depositor)  
of Court for deposit into the Registry Account of this Court cash in the amount of  
\$ 100,000.00.

2. This Cash Deposit:

A. Is tendered on behalf of: William T. Walters;  
(Name of Party)

B. Is in the nature of the following (e.g., Interpleader Deposit, Bond in Support  
of Temporary Restraining Order, etc.): Bond for Court Appearance

C. Is tendered pursuant to the following Statute, Rule or Court Order: \_\_\_\_\_

D. Is conditioned as follows: \_\_\_\_\_

...

1 ...

2

3 3. The name and address of the Legal Owner of the cash tendered  
 4 herewith to whom a refund (if applicable) shall be made is:

5

6

7

8

9 State of Nevada }  
 10 County of \_\_\_\_\_ } ss.

Dated: \_\_\_\_\_

11 On \_\_\_\_\_, 20\_\_\_\_,  
 12 personally appeared before me, a  
 13 Notary Public,

Signature of Depositor

14 (Name of Depositor)  
 15 who acknowledged that (s)he  
 16 executed the above instrument.

17 \_\_\_\_\_  
 18 NOTARY PUBLIC

Dated: 5/19/16

19

20

21

Signature of Attorney for  
 Party or Party Appearing  
Pro Se (If different from  
 Depositor)

22 RECEIPT:

23 Cash as identified herein is  
 24 hereby acknowledged as being  
 25 received this date.

Paid Amt \$ 100K Date 5/19/16Receipt # 2525 Initials RLDated: 5/19/16

26 CLERK, U.S. DISTRICT COURT

27 By: RL

28



Court Name: District of Nevada  
Division: 2  
Receipt Number: NULAS042523  
Cashier ID: Frankena  
Transaction Date: 05/28/2016  
Payee Name: Susan Walters

CASH REG MONEY ORDER  
For: Susan Walters  
Case/Party: D-NV-2:16-NV-000338-001  
Amount: \$100,000.00

CHECK/MONEY ORDER  
Remitter: Susan Walters  
Check/Money Order Number: 9895  
Amt. Tendered: \$100,000.00

Total Due: \$100,000.00  
Total Tendered: \$100,000.00  
Change Amt: \$0.00

"Only when bank clears the check,  
money order, or verifies credit of  
funds is the fee or debt officially  
paid or discharged. A \$3 fee will  
be charged for a returned check."

## EXHIBIT C

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

WILLIAM T. WALTERS,  
a/k/a/ "Billy,"

*Defendant.*

Case No. S1 16-CR-338 (PKC)

**[PROPOSED] ORDER**

CASTEL, U.S.D.J.

Having reviewed the parties' letter submission, the Court rules as follows:

WHEREAS, Defendant William T. Walters had \$100,000 cash bond posted on his behalf with the Clerk of the Court for the District of Nevada. Pursuant to the District of Nevada's Court Order, said \$100,000 cash bond was duly transferred to the Southern U.S. District Court of New York where it remains.

WHEREAS, cash bond was funded by Mr. Walters' wife, Susan B. Walters, who has sent in an original Affidavit, with a copy of the certificate of deposit and receipt attesting under penalty of perjury that she has not assigned any moneys to any other person and was the individual who originally deposited the funds with the Clerk of the Court.

WHEREAS, on July 27, 2017, this Court sentenced Defendant to 60 months' incarceration.

IT IS THEREFORE ORDERED THAT pursuant to Federal Rule of Criminal Procedure 46(g), the conditions of the personal recognizance bond and all other conditions in this case have been satisfied, and all obligors on the bond are hereby EXONERATED. The Clerk of the United States District Court for the Southern District of New York is hereby directed to issue a bond refund check to "Susan B. Walters" in the amount of \$100,000 plus any interest that has accrued.

SO ORDERED.

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P. Kevin Castel  
United States District Judge

Dated: New York, New York

\_\_\_\_\_, 2020.